

REMARKS

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of the form PTO-1449 that was filed on 9 January 2002, on which the examiner has initialed all three listed items. However, a Supplemental IDS was filed on 14 July 2003, the same day that the first office action was mailed. The applicants respectfully request an initialed copy of the PTO form 1449 that accompanied that IDS.

The drawings have been amended to correct minor errors. Reference numeral 25Cc was inadvertently omitted from Fig. 17, and this has been corrected. In addition, the words "Prior art" have been added to each of Figs. 51 and 52 in conformance with the background section of the application. No new matter has been added.

Paragraph 0005 of the specification has been amended to correct a minor typographical error. That is, JP A 6-50482 has been changed to JP 6-50482A.

The examiner has objected to the incorporation of reference of the Japanese foreign priority applications identified in the first paragraph of page 1 of the specification and has asserted that the incorporation is improper. However, it is respectfully submitted that the incorporation by reference is proper. Essential subject matter is not being incorporated by reference, since the present English version of the priority Japanese application is believed to be complete and is believed to include all essential subject matter. The Japanese priority document is being incorporated by reference to enable translation errors discovered during prosecution to be corrected without entering new matter during prosecution of the present application.

Applicant's position on this issue is supported by MPEP §2163.07, which states, among other things, the following:

Where a foreign priority document under 35 U.S.C. §119 is of record in the U.S. application file, applicant may not rely on the disclosure of the document to support correction of an error in the pending U.S. application. *Ex parte Bondiou*, 132 U.S.P.Q. 356 (Bd. App. 1961). This prohibition applies regardless of the language of the foreign priority documents because a claim for priority is simply a claim for the benefit of an earlier filing date for subject matter that is common to two or more applications, and does not serve to incorporate the content of the priority document in the application in which the claim for priority is made. **This prohibition does not apply where the US application explicitly incorporates the foreign priority document by reference (emphasis added).**

The emphasized sentence recognizes the practice of incorporating foreign priority documents by reference and implicitly indicates that this practice is proper. Therefore, since the present U.S. application explicitly incorporates a non-English language document by reference according to MPEP §2163.07 and since no material known to be essential at this time is being incorporated by reference, no amendment of the specification should be required.

Claims 1-19, 27 and 28 are pending. Claims 20-26 have been canceled without prejudice or disclaimer. Claims 27 and 28 are new. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

In the response to the restriction requirement submitted on 30 April 2003, the applicants elected group III of Figs. 17-21. It was stated that claims 1, 2, 5, and 7-12 are readable on the elected species. However, this statement was erroneous. Claims 1, 2, 8, and 9 read on the elected species. Claims 5, 7, and 10-12 are not readable on the elected species. Therefore, claims 5, 7, and 10-12 should have been withdrawn. Claims 5, 7, and 10-12 are now designated as being withdrawn.

The drawings were found to be objectionable under 37 CFR 1.83(a) as failing to show every feature in the claims. The stopper of claim 5 appears in figures 2 and 4; however claim 5 is non-elected. The diametrical expansion projection of claim 8 appears in Fig. 17 and is designated with reference character 25Cg in Fig. 17. Therefore, the applicants respectfully request that the objection to the drawings be withdrawn.

Claims 1, 5, and 7-9 were rejected under 35 USC 102(b) as being anticipated by the patent to Metzger. The patent to Metzger fails to show a coupling for connecting a hose having a corrugated portion, as claimed. Therefore, the Metzger patent fails to show every feature of the claims, as required in a section 102 rejection. Further, claim 1 now recites that the entire socket expands when the socket is pressed toward the fitting member. The patent to Metzger fails to show or suggest diametrical expansion of an entire socket, as claimed. In the Metzger patent, a projection formed by a leaf spring 17 is guided along a groove 12, 13, 14, 15 to join two pipes. Although the leaf spring 17 moves, such movement does not involve or suggest diametrical movement of an entire socket as claimed. Therefore, the applicants respectfully request withdrawal of this rejection.

Claims 1, 2, 5, and 7-12 are rejected under 35 USC 102(b) as being anticipated by the patent to Bloomer. Firstly, Section 102(b) does not apply, since the Bloomer patent was not published for a year or more before this application was filed. In addition, the patent to Bloomer fails to show a coupling for connecting a hose having a corrugated portion, as claimed. Therefore, the Bloomer patent fails to show every feature of the claims, as required in a section 102 rejection. Further, as mentioned above, claim 1 now recites that the entire socket expands when the socket is pressed toward the fitting member. Although a distal part of the socket of the Bloomer patent expands, it expands as a result of rotational motion after the first conduit 12 has

been pressed axially toward the second conduit 14. Therefore, the applicants respectfully request withdrawal of this rejection.

Claims 27 and 28 are new. Claims 27 and 28 read on the elected embodiment of Figs. 17-21. Claim 27 is similar to claim 1; however, claim 27 recites a C-shaped socket. Further, claim 27 recites that the diameter of the socket increases and separation occurs at the slit when the socket is pressed axially toward the fitting member. No such construction is disclosed or suggested by either of the patents to Metzger or Bloomer.

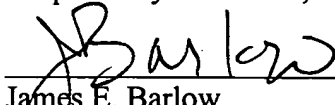
Claim 19 has been amended to correct an error in its dependency. Claim 19 should have depended on claim 13 originally to have proper antecedent basis. The dependency of claim 6 has also been changed to claim 5.

The applicants respectfully request rejoinder of claims 3-7 and 10-19. At least claim 1 is generic to the embodiments covered by these claims. Claim 1 is considered to be in condition for allowance. Therefore, rejoinder of claims 3-7 and 10-19 is proper.

In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,


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